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Case Number: C14-2012-0032
Contact: Heather Chaffin, 512-974-2122
Public Hearing: Sept. 25, 2012, Planning Commission
Oct. 11, City Council

Krista Umscheid-Ramirez and Vic Ramirez
1706 Lightsey Road
Austin, TX 78704

Sept. 21, 2012

Dear Planning commissioners,

We are writing to you to express our SUPPORT for the requested zoning change on this case from SF-3 to SF-6-CO if the developer agrees to provide a sidewalk access, beginning on Lightsey Road (at a minimum where our current driveway is located) to the point on Del Curto Road across from the neighborhood park. We would also like input on the perimeter fencing along our common property lines, lighting on the development and specific updates regarding the drainage information, options and final decisions.

Our Property: 1706 Lightsey Road

Our home and land is one of two properties that have common property lines with the land in question and runs the entire length of the eastern, downhill side of this development. That equates to approximately 540 feet (the length of nearly two football fields).

As one of only two directly adjacent landowners to this 4.7-acre tract of land that will be developed, my family has more at stake in this case than anyone else in the South Lamar Neighborhood Association (SLNA) and any nearby residents.

How Our Position Differs From the SLNA

a. Background

I have been a member of the SLNA since it was founded in 2001. I assisted in coordinating, writing and distributing the association's newsletters from 2002 to 2009, and served as SLNA's vice president from 2008 to 2009. My husband, Vic Ramirez, is the immediate past-president of the SLNA. While we support the basic goals and understand the positions of our SLNA, we feel that its position is not representative of us or the entire neighborhood. In fact, the facts and descriptions regarding the neighborhood, as presented by the SLNA, are not accurate. The neighborhood has been evolving and developing. While some in the SLNA are adamantly opposed to those changes, there is no direct evidence or reason to claim that the recent developments have deteriorated the neighborhood. A majority of the most vocal representatives in the SLNA all live within a mile of each other along the road that changes from Lightsey Road to Del Curto Road to Lamar Boulevard.

b. Initial Statement Regarding City Staff's SF-6 Recommendations

The issues relating to stormwater runoff, traffic and pedestrian safety and the actual character of the neighborhood are of the utmost importance to us. We feel that staff's recommendations on limitations, restrictions and requirements regarding the SF-6-CO site plan can more positively address those concerns than the parameters of an SF-3 subdivision.

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c. How Our Position Differs From SLNA

The SLNA position, by the admission of the handful of active members, is focused primarily on “density” (i.e. the number of “units” that the developer will be allowed to construct). Although they may also state that the requested zoning change be denied in order to prevent the “precedent” that would occur should this project be allowed to obtain an SF-6 designation, the primary concern is the “number of units that will occupy the property in question.”

Most importantly, the petition, signed by some of the members of the SLNA who own property within the vicinity of the proposed project, states to oppose the zoning change unless a specific unit range is imposed. This unit range is an arbitrary number without any basis for its recommendation. A few vocal opponents want the fewest number of structures built, which everyone in the area would undoubtedly appreciate; however, the unreasonably low number requested in the petition is even lower than the number of structures/units that can currently be built with the existing SF-3 zoning, according to staff’s ongoing review of PSW’s subdivision plans, which are in the works concurrently as a backup development while this zoning case is being decided.

To date, some of these members have expressed their refusal to negotiate from the number of units they have set forth, while in the same breath arguing that PSW’s representative refuses to negotiate the number of units.

Although certain members claim that they are “adjacent” property owners, they do not share property lines with the subject property. What is definite is that none of the members of the SLNA will experience more of the impacts of the proposed development project that we will experience. Yet, the SLNA is willing to maintain a rigorous position limiting “density” in lieu of any reasonable discussions with the developer regarding improvements that could be made to the neighborhood, such as sidewalks, so that residents can actually access the “neighborhood park” on Del Curto Road. If this property is developed as an SF-3 subdivision, sidewalks may not be built, but instead deferred as the individual lots are sold.

The SLNA is also, in effect, ignoring our pleas for reasonable discussions with the developer in order to address our specific concerns regarding drainage, fencing and lighting, in addition to our concerns regarding the safety improvements that the neighborhood may be able to obtain. This would be similar to the safety improvements made at PSW’s Zilker Terrace development.

We believe the SLNA’s position is misguided and does not take the needs, character and safety of the entire neighborhood into consideration. Whether one views this as a “not in my backyard” position or a stranglehold on a mischaracterization that the neighborhood is “rural,” the position does not consider the neighborhood in its entirety nor does it consider the safety hazards that currently exist in the immediate vicinity of the proposed project and the opportunity that some of those safety concerns could be addressed. The claims and videos of limited sight distance are of little consequence when you take into account that the vegetation of wax-leaf ligustrum, juniper and underbrush will be removed with the property’s development under either zoning. However, the lack of space for pedestrians to jump out of harm’s way from traffic will remain long after the vegetation has been cleared.

d. Drainage and Stormwater Runoff

Situated on the low-lying area between two hills on a street without curb and gutter, our property has, for years, been the storm water collection for the immediate area. This was confirmed, once again, when we witnessed the stormwater flow during the recent rains Sept. 14 – 16. The stormwater flows originate on the properties to the east, south and west of us and flow down Lightsey Road to the low-lying area on our property and then go north along a flow way on our western property line. That western property line is the property line that we will share with the proposed development. A quick glance at a topographical map’s elevations will confirm the natural flow of runoff.

Once again, we believe that the proposed SF-6 CO development would better address the drainage issues. The proposed units are fewer and the buffer between our property line and the actual development is larger at 25 feet. The subdivision project would only provide a five-foot buffer.

We actually believe that the best option to address drainage and stormwater runoff, not only on our property but in the immediate vicinity of the neighborhood is for the City to actually study and approve curb and gutter that includes storm sewer drains and reroutes. Notwithstanding that concept, we believe that the proposed SF-6 CO would better address drainage and prevent additional runoff onto our property and the immediate area.

e. Traffic Safety Along Del Curto–Lightsey Road Corridor

The Del Curto–Lightsey Road corridor's rural charm is overshadowed by the danger it imposes on pedestrians, cyclists and drivers trying to use the road and homeowners attempting to exit driveways. Few of the previously approved development projects along Del Curto Road, just south of Bluebonnet Lane have yet to be constructed. The stretch of road consisting of Del Curto Road to Lightsey Road, connecting to Clawson Road, has been a cut-through for drivers to get to and from Lamar Boulevard and Ben White Boulevard/Highway 71. I believe that the City has even conducted a trip count survey within the past three or four years that indicated a 1,200-trips-per-day count along the Lightsey Road–Del Curto Road corridor. I can only imagine that the number has increased since that time. Therefore, although traffic impacts are a major concern for the neighborhood, that problem, consisting of the large volume of traffic along the two-lane road already exists along the Lightsey Road-Del Curto Road-Lamar Boulevard corridor.

This is not to say that traffic impacts are not a concern with this and the previously approved development projects along Del Curto Road. However, the roads are already being heavily used as a connector between Ben White Boulevard/Highway 71 and South Lamar Boulevard. Without the adequate and appropriate infrastructure and the necessary safety measures and traffic-calming devices that should be present, accidents and near-miss accidents will increase as the vision of making South Lamar Boulevard a thriving location for businesses succeeds and attracts more patrons from the residential communities of which they are a part.

We believe that a compromise can be reached with PSW to provide and construct certain accommodations that would alleviate some of the safety concerns along the Del Curto Road-Lightsey Road corridor. We also believe that an agreement, along with City staff input, can be reached that would result in a sidewalk or pedestrian throughway that could allow residents of the neighborhood to access the neighborhood park, an amenity that even the SLNA views as a primary attribute of the neighborhood. If this opportunity is not taken advantage of, we will surely experience additional vehicle accidents and, God forbid, injury to a person or loss of life resulting from a vehicular or pedestrian-vehicular accident along Lightsey and Del Curto roads.

This is an opportunity for the SLNA and any of the surrounding neighbors, to discuss how PSW and the City can provide the necessary amenities to actually make this portion of the neighborhood a safe and "family-friendly" neighborhood. We believe that an SF-6 compromise can be achieved using the density of units recommended by the City staff or, at most, a number between the number PSW currently has requested and the City staff's recommendation of 36. The compromise would include the construction by PSW of a sidewalk starting on Lightsey Road and leading up to the neighborhood park.

f. The Neighborhood Park

The neighborhood park is located across from the Del Curto entrance of the proposed development. SLNA members worked long hours with City staff to achieve a park for our neighborhood. However, the park is relatively inaccessible and unused by the neighborhood because there are no sidewalks leading to it. Currently, we have to walk with our 3-year-old daughter about $\frac{3}{4}$ of a mile to get to a neighborhood park that is just 764 feet (or .14 of a mile) from our house

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because there is no safe, pedestrian-friendly, way to access it along Lighstey and Del Curto roads. (See the attached photo/map for the only safe route available to access the neighborhood park.)

For example, one of our co-workers, who has two children attending Zilker Elementary School, considered buying a house along Del Curto Road near the park but decided against it because he said it did not feel like a family friendly neighborhood where his children could walk safely. This is not the character that any neighborhood should be known for.

g. Miscellaneous

We are in discussions with PSW for us to have input on perimeter fencing and lighting along our property boundaries.

h. Conclusion

We support the proposed SF-6 CO zoning change as has been described and presented to us by PSW and City staff. As the owners of the property to be most impacted by the proposed PSW development, we are willing to accept a detached house unit range between the City staff's recommendation of 36 units and PSW's request of 40 units under SF-6 CO.

Our support is contingent on certain pedestrian safety measures, including a sidewalk that can be constructed along the Lightsey Road-Del Curto Road corridor to the neighborhood park and certain other concessions that PSW is willing to provide to us, including, drainage, fencing, lighting and other matters. We believe that, under that arrangement, PSW is willing to construct a sidewalk or pedestrian access to the extent allowed by City regulations and staff approvals. They are also willing to allow us to have input regarding the fencing along the proposed property; lighting, such that there would not be a trespass onto our property; and to maintain the necessary retention and drainage best management practices that would not result in an increase in the natural drainage patterns that currently exist. We are placing our faith in the City's staff to make certain that the developer is held to the highest standards to prevent any increase in stormwater runoff from entering our property.

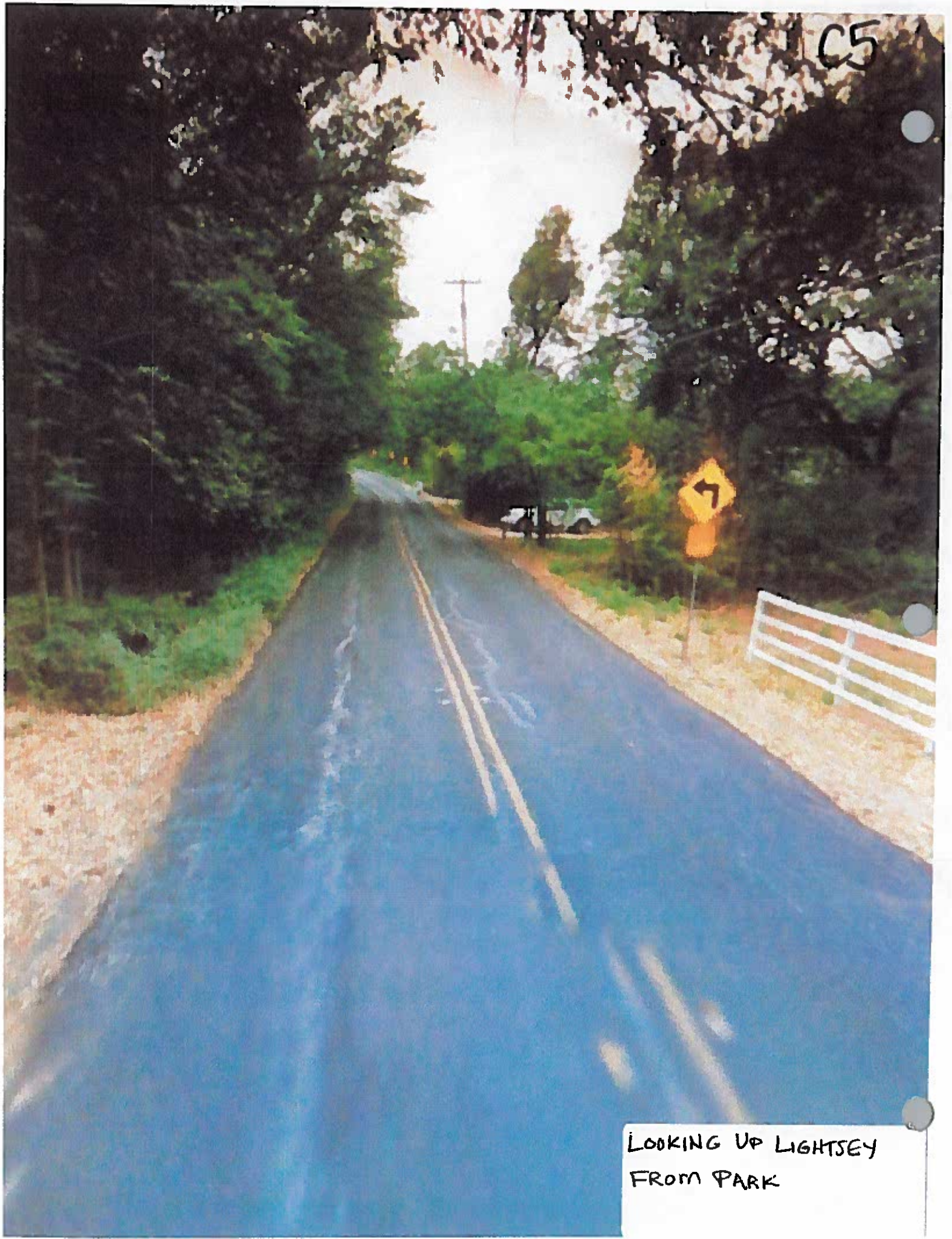
We request that PSW and City staff meet to discuss how PSW can construct a sidewalk that begins along Lighstey Road and, at a minimum, ends at the neighborhood park along Del Curto. We are willing to have the sidewalk start at the eastern-most border of our property on Lighstey Road if that would help improve safety.

Ultimately, our hope is that the opportunity still exists for SLNA and PSW to earnestly negotiate a reasonable density and impervious cover amount (based on City staff's information) that can benefit everyone, so that the neighborhood can still have input into the development concerning the site's character/appearance, perimeter fencing, landscaping, pedestrian/cycling trail, lighting and other aspects that will attract families and have a positive impact on the neighborhood for many years to come.

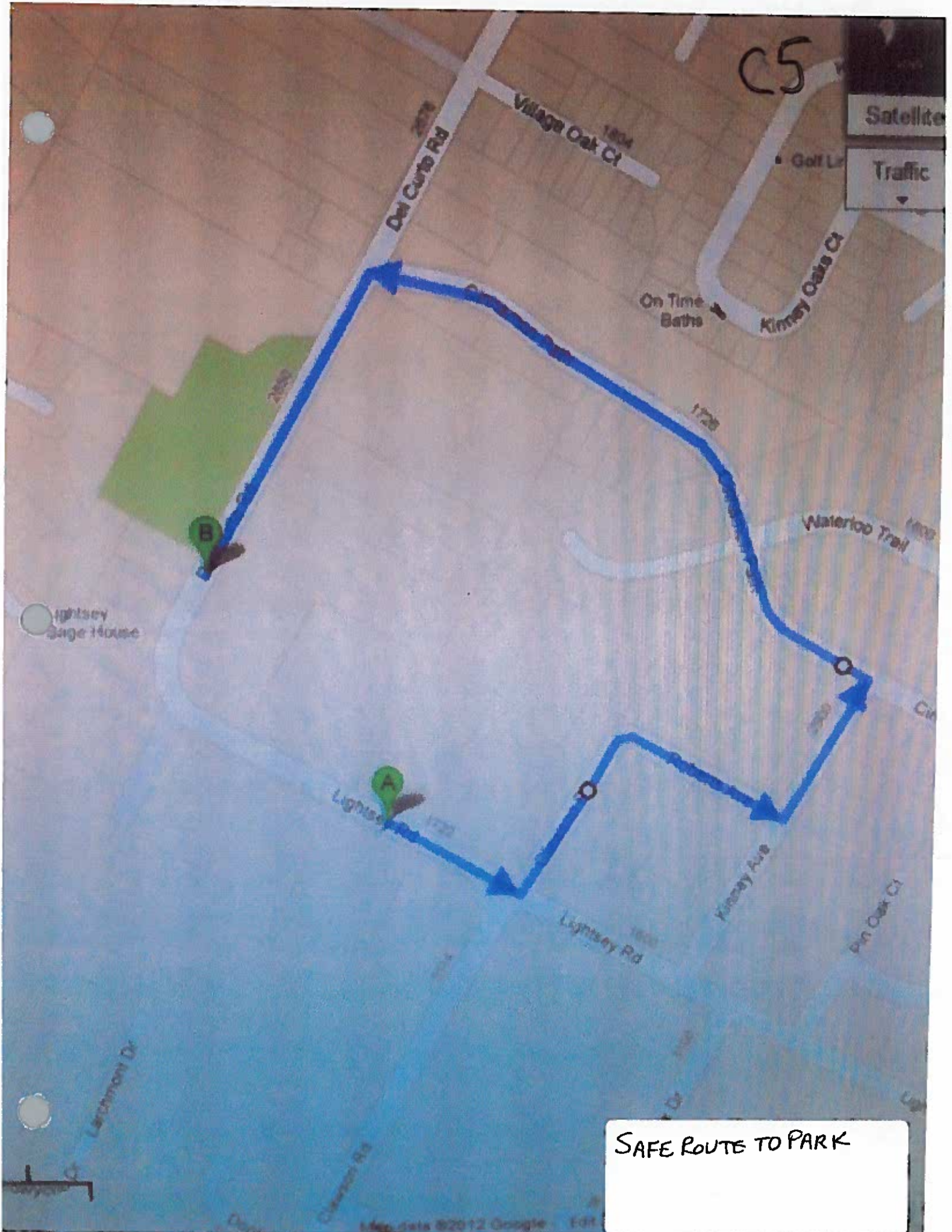
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LOOKING FROM
CINNAMON PATH DOWN
DEL CURTO TO PARK

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LOOKING UP LIGHTSEY
FROM PARK



SAFE ROUTE TO PARK

